

APPROVED:

MOTION BY:

AYES:

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ABSTENTIONS:

ABSENT:

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By:

Rosaria Peplow, Town Clerk

ZBA MEETING MINUTES

TOWN OF LLOYD ZONING BOARD

Thursday, May 10, 2018

1 **CALL TO ORDER TIME: 7:00PM**

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3 **PLEDGE OF ALLEGIANCE**

4
5 **ATTENDANCE** Present: John Litts, Chair; Paul Gargiulo; Russell Gilmore; William Brown;
6 Alan Hartman; Michael Guerriero, Town Board Liaison; Anthony Giangrasso,
7 Deputy Building Inspector; Laura Oddo-Kelly, Secretary to Planning and Zoning.
8

9 **ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS**
10 **49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.**
11

12
13 **New Public Hearing**

14
15 **Clark, Ralph, 6 Carolyn Drive, 94.2-4-7, in TR 1 Zone.**

16 Applicant is seeking a residential area variance in order to build a porch on their existing
17 residence closer to the road than what the code allows. The required footage from the structure to
18 the road is 30', the actual distance from the porch to the road would be 21.7'. The applicant is
19 seeking a relief from the ZBA of 8.3'.

20 A **Motion** was made by Russ Gilmore, seconded by Paul Gargiulo to open the public hearing.
21 All ayes.

22 The applicant was present and submitted pictures in conjunction of the proposed project. The
23 applicant additionally provided the actual measurements from the proposed structure (or pad) to
24 the edge of the road as the Board had requested at the last meeting.

25 There was a discussion of the measurement of the proposed structure to the road. The applicant
26 is going to use a six-inch splash pad which would be further out than the structure and it was
27 determined that the area variance relief should be considered from the actual structure and not
28 the cement pad underneath. The Board concluded that the area variance relief should be for only
29 8' which would be more than sufficient for the proposed enclosed porch structure.

30 The Balance of Interests Test was read and discussed and the Board deemed there was no
31 detriment to health, safety and welfare of the community.

32 A **Motion** was made by Paul Gargiulo, seconded by Bill Brown to close the public hearing. All
33 ayes.

34 A **Motion** was made to by Paul Gargiulo, seconded by Bill Brown to accept the request a relief
35 for an 8' area variance. All ayes.
36

37 **New Business**

38 **Pavlovich and Company, LLC, 185 South St, 87.3-5-29, in A Zone.**

39 The applicant is seeking a use variance from the ZBA to convert their property, a legal single-
40 family dwelling, in A Zone (Agricultural) to commercial office use. The commercial use of the
41 property has expired. It last received a commercial site plan in 2005, and since that site plan was
42 never completed, the site plan is no longer valid.

43
44 Applicant's representative, Bruce Stevens from Steven's Realty, was present to provide
45 information and ask questions concerning the use variance. Stevens relayed to the Board that the
46 applicant did not have a specific definitive use in seeking a use variance to convert the parcel to
47 commercial office use but felt the property was not suited for any residential purpose. Stevens
48 said the highest and best use would be commercial. They have a potential client that may like to
49 use it as a daycare facility. The Board requested the applicant would have to provide the ZBA
50 with a definitive specific use in order for them to consider granting a use variance for the
51 property.

52
53 **Vedder, Emmett, III, 840 N. Chodikee Lake Rd, 79.2-2-3.100, in R1 Zone.**
54 Applicant is seeking a residential area variance in order to build a deck on the existing residence
55 five feet farther than what the code allows in order to clear a rock ledge. This would reduce the
56 setback from 30' to 25'. The applicant is seeking a relief from the ZBA of 5'.

57
58 After viewing the site plan survey of the property, the ZBA determined that the applicant needs
59 both a relief of 4'8" on the side yard and 5" on the back.

60 A **Motion** was made by Russ Gilmore, seconded by Bill Brown to set the public hearing for the
61 June 14, 2018 meeting at 7pm. All ayes.

62
63 **Minutes to Approve:**

64
65 A **Motion** to approve the minutes of the March 8, 2018 Zoning Board Meeting was made by
66 Paul Gargiulo, seconded by John Litts. Three ayes, one abstention.

67 A **Motion** to approve the minutes of the April 12, 2018 Zoning Board Meeting was made by
68 Paul Gargiulo, seconded by Alan Hartman, as amended. All ayes.

69
70 A **Motion** to adjourn was made by Russ Gilmore, seconded by Bill Brown at 7:51pm. All ayes.